



12-14-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Friesen, et al.  
Serial No: 10/774,781  
Filed: February 9, 2004  
For: Composition and Method for Use in Cartilage Affecting Conditions  
Confirmation No: 8857  
Art Unit: 1614  
Examiner: TBA  
HDP Ref: 2664H-000020/US  
Hills Ref: IR 7457-00

December 13, 2004

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam/Sir:

To comply with 37 CFR §1.97 and §1.98, Applicants submit the enclosed Form PTO-1449.

In accordance with MPEP §609 and §707.05(b), Applicants respectfully request that each document listed be given thorough consideration, and that the Examiner cite each document of record in the prosecution history of the present application by initialing the Form PTO-1449 next to each document. Applicants request such initialing even if the Examiner does not consider: (1) a document to be sufficiently pertinent to use in a rejection; (2) a document to be prior art for any reason; or (3) that the guidelines for citation have been fully complied with respecting a particular document. Applicants make this request so that each document becomes cited on the face of a patent issuing on the present application.

Applicants submit this information disclosure statement in compliance with the duty to disclose information material to patentability under 37 CFR §1.5, but by listing such documents are not admitting that such documents are necessarily relevant or prior art. Applicants intend no representation that the listed documents represent the results of a complete search. Applicants anticipate that the Examiner, in the normal course of examination, will make an independent search consistent with 37 CFR §1.104(a) and §1.106(b), and, in the course of such search, will

review for relevance every document listed on the attached form even if not initialed.

Some references cited in this information disclosure statement are U.S. Patents. Copies of those references are not being provided in accordance with MPEP §609 Part III(A)(2)(A). Applicants, however, will provide copies of such references upon request from the Examiner. The remaining reference articles are included for the Examiner. The references that are enclosed with this information disclosure statement are identified as being enclosed on the Form 1449.

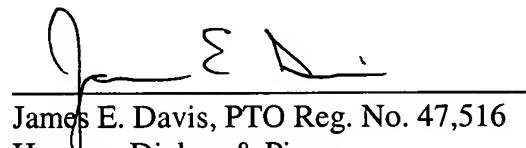
Applicants request early and favorable consideration.

\* \* \* \* \*

Applicants believe that they do not owe any fee in connection with this information disclosure statement. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. **08-0750**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or §1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **08-0750**.

The Examiner is requested to call the undersigned if any questions arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,



James E. Davis, PTO Reg. No. 47,516  
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |  |                        |                    |
|--|--|------------------------|--------------------|
|  |  | Application Number     | 10/774,781         |
|  |  | Filing Date            | February 9, 2004   |
|  |  | First Named Inventor   | Friesen, et al.    |
|  |  | Art Unit               | 1614               |
|  |  | Examiner Name          | Unknown            |
| Total Number of Pages in This Submission |  | Attorney Docket Number | (7457) 2664H-20/US |

## ENCLOSURES (check all that apply)

|  |  |   |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)        |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment / Reply                                   | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application  | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer   | <input checked="" type="checkbox"/> Other Enclosure(s)<br>(please identify below):      |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund  | <b>Form 1449</b>  |
| <input checked="" type="checkbox"/> Information Disclosure Statement         | <input type="checkbox"/> CD, Number of CD(s) _____   | <b>5 References</b>   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <b>Return Postcard</b>   |   |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   | Remarks  |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed. |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                                  |                                 |                    |
|-------------------------|----------------------------------|---------------------------------|--------------------|
| Firm or Individual name | Harness, Dickey & Pierce, P.L.C. | Attorney Name<br>James E. Davis | Reg. No.<br>47,516 |
| Signature               |                                  |                                 |                    |
| Date                    | December 13, 2004                |                                 |                    |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |                |                        |                   |
|-----------------------|----------------|------------------------|-------------------|
| Typed or printed name | James E. Davis | Express Mail Label No. | EV 317349575 US   |
| Signature             |                | Date                   | December 13, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 317349575 US

Appl. No. 10/774,781  
Information Disclosure Statement  
December 13, 2004



CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I certify that this correspondence is being deposited with the U.S. Postal Service on **December 13, 2004** with sufficient postage as first class mail (including Express Mail per MPEP § 512), and addressed to **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**.

A handwritten signature consisting of the initials "J. E. D." followed by a short horizontal line.



FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE CITATION**

Sheet 1 of 1

|                        |            |
|------------------------|------------|
| ATTORNEY DOCKET NO.    | SERIAL NO. |
| (7457) 2664H-000020/US | 10/774,781 |
| APPLICANT              |            |
| Friesen, et al.        |            |
| FILING DATE            | GROUP      |
| February 9, 2004       | 1614       |

**U.S. PATENT DOCUMENTS**

| Ref. Desig. | Examiner's Initials | Document Number | Date     | Name              | Class/ Subclass | (If appropriate) Filing Date |
|-------------|---------------------|-----------------|----------|-------------------|-----------------|------------------------------|
| 1.          |                     | 5,587,363       | 12/24/96 | Henderson         | 514/54          |                              |
| 2.          |                     | 6,255,295       | 7/03/01  | Henderson, et al. | 514/54          |                              |
| 3.          |                     | 6,271,213       | 8/07/01  | Henderson, et al. | 514/53          |                              |

**FOREIGN PATENT DOCUMENTS**

| Ref. Desig. | Examiner's Initials | Document Number | Date | Country | Class/ Subclass | Translation Yes | No |
|-------------|---------------------|-----------------|------|---------|-----------------|-----------------|----|
|             |                     |                 |      |         |                 |                 |    |

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)**

| Ref. Desig. | Examiner's Initials |  |
|-------------|---------------------|--|
| 4.          |                     | Beren, et al.; Effect of Pre-Loading Oral Glucosamine HCL/Chondroitin Sulfate/Manganese Ascorbate Combination on Experimental Arthritis in Rats, <i>Experimental Biology and Medicine</i> , Vol. 226, pp.144-151, 2001                       |
| 5.          |                     | Kroger, et al.; The Effect of Tryptophan Plus Methionine, 5-Azacytidine, and Methotrexate on Adjuvant Arthritis of Rat; <i>General Pharmacology</i> , Vol. 33, No. 2, pp. 195-201, August 1999   |
| 6.          |                     | Soeken, et al.; Safety and Efficacy of S-Adenosylmethionine (SAMe) for Osteoarthritis: a Meta-Analysis; <i>Journal of Family Practice</i> , Vol. 51, No. 5, May 2002   |
| 7.          |                     | Takizawa, et al.; Production of Tissue Inhibitor of Metalloproteinases 3 Is Selectively Enhanced by Calcium Pentosan Polysulfate in Human Rheumatoid Synovial Fibroblasts; <i>Arthritis Rheum.</i> , Vol. 43, No. 4, pp. 812-820, April 2000 |
| 8.          |                     | Yen, et al.; Manganese Superoxide Dismutase and Cytochrome P450 1A1 Genes Polymorphisms in Rheumatoid Arthritis in Taiwan; <i>Human Immunology</i> , Vol. 64, No. 3, pp.366-373, March 2003  |

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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